

# EXHIBIT 8

**Roundhill Express LLC  
P.O. Box 611  
Ardsley, New York 10502**

May 19, 2020

**Via Certified Mail, Return Receipt  
Requested and First Class Mail**

Fred & Ann Lee  
45-54 193rd Street  
Flushing, New York 11358

NorthEast Adjustment, Inc.  
Attn: Joseph Mainiero  
99-07 74th Ave.  
Forest Hills, New York 11375  
[Joe@neadjustment.com](mailto:Joe@neadjustment.com)

Re:	Our Insureds:	Fred & Ann Lee
	Policy Number(s):	314PK-49300-01
		314PK-49300-02
		314PK-49300-03
	Our Claim Number:	15405
	Loss Location:	39-11 27th Street, Long Island City, NY 11101
	Date of Loss:	March 2, 2020

**DISCLAIMER OF COVERAGE/NOTICE OF RESCISSION**

Dear Mr. and Mrs. Lee,

Roundhill Express, LLC as Third-Party Claims Administrator for Union Mutual Fire Insurance Company (“Union”) received notice of a claim relative to damage to your property caused by a fire at the above loss location. We have reviewed the information you provided, begun investigating the claim, and reviewed your insurance policy with Union. This letter addresses Union’s coverage obligations under the policy of insurance at issue as they relate to your claim relative to the fire damage at 39-11 27th Street, Long Island City, NY 11101 (“the Premises”).

This claim originates from a fire that broke out at the second-floor of the building on March 2, 2020. You notified Union of the damage the same day. As part of our investigation, we assigned an investigator to inspect the damages as well as a fire investigator to determine cause and origin. The investigator observed extensive damages to the second-floor apartment and smoke, water and exposure damages throughout the second floor and first floor with water damages into the finished basement area. You also recently submitted a claim for lost rents.

As part of his normal inspection the investigator visited the Premises and found that there are three apartment units at the property. There is an apartment on the first floor, an apartment on the second floor, and a full basement apartment.

**Based upon our investigation and for the reasons discussed below, Union disclaims any obligation to you in connection with this claim. Please be advised that this means that there is no coverage for you under your policy with Union. Moreover, Union is rescinding your policy and reserving our right to return your premium to you based upon your material misrepresentation in your applications.**

Union issued multiple commercial general liability and property policies to Fred & Ann Lee. As relevant, the policy numbers were Policy No. 314PK-49300-01 for the policy period of June 8, 2017 to June 8, 2018; Policy No. 314PK-49300-02 for the policy period of June 8, 2018 to June 8, 2019; and Policy No. 314PK-49300-03 for the policy period of June 8, 2019 to June 8, 2020 (the "Policies"). The property located at 39-11 27th Street, Long Island City, NY 11101 is the sole designated risk location under the Policies.

The Policy also contains duties and conditions to coverage that require your cooperation and honest participation, including the following relevant condition:

## **6. Representations**

By accepting this policy, you agree:

- a.** The statements in the Declarations are accurate and complete;
- b.** Those statements are based upon representations you made to us; and
- c.** We have issued this policy in reliance upon your representations.

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On your initial application for insurance with Union, you represented on your insurance application that the premises at 39-11 27th Street, Long Island City, NY 11101 only had two apartment units. On your subsequent renewal applications, you were again asked how many apartment units were at the Premises, and both renewal applications you again responded that the Premises contained only two apartment units. You then electronically signed your application, and by doing so certified that the information provided on the policy application was true.

When the investigator inspected the damage at the Premises, he found that there were actually three apartments at the Premises. There are two apartments above ground and one apartment in the basement. There is a full basement apartment that has a bedroom, living room, kitchen, bathroom, and separate entrance. You told us that this has been the configuration of the property since you purchased the property. Thus, your statement on your application for insurance that the Premises had only two apartment units was false and constitutes a material

misrepresentation, which is a violation of your policy terms. As such, there is no coverage under your policy with Union.

**Moreover, please be advised that Union would not have issued this same policy to you had it known that the Premises had three apartment units and not two as you represented. Accordingly, Union is rescinding the current policy of insurance and your two prior policies *ab initio*, and reserving its right to refund your premiums for all policies.**

This letter shall not be construed as an admission of liability or as a waiver of any coverage defense or limitation previously asserted or that might be available to Union pursuant to the provisions of the policy or by operation of law. In addition to the policy defenses discussed above, other defenses may be available to Union by operation of law. Union reserves any legal and policy defenses it may have in connection with this tender whether or not expressly stated in this letter. Union reserves the right to modify its coverage position at any time upon receipt of additional information.

If you have any questions regarding this matter, please contact me at (718) 576-2680.

Sincerely,

Roundhill Express, LLC,  
As Third Party Claims Administrator for  
Union Mutual Fire Insurance Company



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James Lambert, President

cc: (via e-mail only)  
Union Mutual Fire Insurance Company  
Jeff Gold, Esq.  
Kimspro Insurance Agency ([Kimspro@gmail.com](mailto:Kimspro@gmail.com))